

mining the maximum compensation to be paid to such officers. Also providing for the payment of compensation hereunder for the use of the county and not to the officers herein named, and in case the law may hereafter provide for the payment of salaries in lieu of fees of office, to such officers. Also providing that such officers, when serving a district hereunder, shall be deemed to be officers of the district. Further providing that the bond to be given by a tax collector hereunder shall be payable to the district, and that the premium therefor shall be paid by such district."

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, February 7, 1933.  
Hon. Coke Stevenson, Speaker, of the  
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 115, A bill to be entitled "An Act to provide for payment of the salary of the ex-officio superintendent of public instruction in all counties having not less than 7,100 and not more than 7,200 population, according to the last preceding Federal Census, from the county available school fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, February 7, 1933.  
Hon. Coke Stevenson, Speaker, of the  
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 99, A bill to be entitled "An Act authorizing and directing the Commissioner of the General Land Office of the State of Texas, to deed, convey, assign, and/or transfer all right, title, and interest of whatsoever class, kind, or character, directly or indirectly belonging to the State of Texas in and to that tract of land known as the 26.5-acre Park Site, situated near Concan Post Office, in Uvalde County, Texas, to A. B. Mayhew; and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

## REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, February 7, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 38, "An Act to authorize the selection of school depositories for independent districts in certain counties, regardless of the population of said districts; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, February 8, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 298, "An Act repealing Chapter 278, of House Bill No. 539, of the Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

## EIGHTEENTH DAY

(Continued)

(Thursday, February 9, 1933)

The House met at 10 o'clock a. m., and was called to order by Speaker Stevenson.

### SENATE BILL NO. 90 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 90, A bill to be entitled "An Act creating the office of county purchasing agent in certain counties, and declaring an emergency."

The bill was read second time, and was passed to third reading.

### SENATE BILL NO. 90 ON THIRD READING

Mr. Hankamer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 90

be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—110

Adamson.	Kyle of Palo Pinto.
Aikin.	Laird.
Alexander.	Latham.
Alsup.	Lemens.
Anderson	Lindsey.
of Johnson.	Lotief.
Baker.	Mackay.
Barrett.	Mathis.
Beck.	McClain.
Bourne.	McDougald.
Bradley.	McGregor.
Burns.	McKee.
Calvert.	Merritt.
Camp.	Mitcham.
Canon.	Moffett.
Chastain.	Moore.
Cowley.	Morrison.
Crossley.	Palmer.
Daniel.	Parkhouse.
Davidson.	Patterson.
Dean.	Pavlica.
Devall.	Pope.
Dwyer.	Puryear.
Engelhard.	Ratliff.
Fain.	Ray.
Few.	Reader.
Fisher.	Reed of Bowie.
Ford.	Reed of Dallas.
Fuchs.	Riddle.
Glass.	Roberts.
Good.	Rogers of Hunt.
Goodman.	Rollins.
Greathouse.	Ross.
Hankamer.	Russell.
Harris.	Savage.
Hartzog.	Scarborough.
Head.	Scott.
Hicks.	Shannon.
Hill of Webb.	Shults.
Hodges.	Stanfield.
Holekamp.	Steward.
Holland.	Stinson.
Hoskins.	Stovall.
Huddleston.	Tarwater.
Hughes.	Tennyson.
Hunt.	Thomas.
Hyder.	Tillery.
Jackson.	Townsend.
James.	Van Zandt.
Jefferson.	Wagstaff.
Johnson	Walker.
of Anderson.	Weinert.
Jones of Runnels.	Wells.
Jones of Shelby.	West.
Kayton.	Wood.
Kyle of Hays.	Young.

## Absent

Anderson	Bedford.
of Bexar.	Butler.
Barron.	Cathey.

Caven.	Long.
Colson.	Magee.
Coombes.	McCullough.
Dunlap.	Metcalfe.
Dunagan.	Morse.
Duvall.	Munson.
Golson.	Nicholson.
Graves.	Ramsey.
Griffith.	Renfro.
Haag.	Rogers
Harmán.	of Ochiltree.
Harrison.	Smith.
Hester.	Sullivant.
Hill of Brazoria.	Vaughan.
Holloway.	Winningham.
Jones of Atascosa.	

## Absent—Excused

Clayton.	Leonard.
Johnson	Turlington.
of Dimmit.	

The Speaker then laid Senate Bill No. 90 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—115

Adamson.	Hankamer.
Aikin.	Harris.
Alexander.	Hartzog.
Alsup.	Head.
Anderson	Hester.
of Johnson.	Hicks.
Baker.	Hill of Webb.
Barrett.	Hodges.
Beck.	Holekamp.
Bedford.	Holland.
Bourne.	Hoskins.
Bradley.	Huddleston.
Burns.	Hughes.
Calvert.	Hunt.
Camp.	Hyder.
Canon.	Jackson.
Cathey.	James.
Chastain.	Jefferson.
Cowley.	Johnson
Crossley.	of Anderson.
Daniel.	Jones of Atascosa.
Davidson.	Jones of Runnels.
Dean.	Jones of Shelby.
Devall.	Kayton.
Dunagan.	Kyle of Hays.
Dwyer.	Kyle of Palo Pinto.
Engelhard.	Laird.
Fain.	Latham.
Few.	Lemens.
Fisher.	Lindsey.
Ford.	Lotief.
Fuchs.	Mackay.
Glass.	Mathis.
Golson.	McClain.
Good.	McCullough.
Goodman.	McDougald.

McKee.	Scott.
Metcalfe.	Shannon.
Mitcham.	Shults.
Moffett.	Stanfield.
Morrison.	Steward.
Palmer.	Stinson.
Parkhouse.	Stovall.
Patterson.	Sullivan.
Pavlica.	Tarwater.
Puryear.	Tennyson.
Ratliff.	Thomas.
Ray.	Tillery.
Reader.	Van Zandt.
Reed of Bowie.	Vaughan.
Reed of Dallas.	Wagstaff.
Riddle.	Walker.
Roberts.	Weinert.
Rogers of Hunt.	Wells.
Rollins.	West.
Ross.	Winningham.
Russell.	Wood.
Savage.	Young.
Scarborough.	

## Absent

Anderson	Holloway.
of Bexar.	Long.
Barron.	Magec.
Butler.	McGregor.
Caven.	Merritt.
Colson.	Moore.
Coombes.	Morse.
Dunlap.	Munson.
Duvall.	Nicholson.
Graves.	Pope.
Greathouse.	Ramsey.
Griffith.	Renfro.
Haag.	Rogers
Harman.	of Ochiltree.
Harrison.	Smith.
Hill of Brazoria.	Townsend.

## Absent—Excused

Clayton.	Leonard.
Johnson	Turlington.
of Dimmit.	

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, February 9, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 70, A bill to be entitled "An Act making an appropriation, to be paid out of the General Revenue Fund of the State of Texas, of the sum of three thousand eight hundred and forty-three dollars (\$3,843), not otherwise appropriated, to cover taxes due by the State of Texas to the Sugarland Independent School District, cov-

ering the years from 1928 to 1932, inclusive, and declaring an emergency."

S. B. No. 160, A bill to be entitled "An Act amending Acts, 1931, Forty-second Legislature, Regular Session, page 744, Chapter 291, Section 1, so as to change the compensation of district attorneys from a salary basis to a fee basis in certain judicial districts, and declaring an emergency."

S. B. No. 166, A bill to be entitled "An Act amending Article 6562, Chapter 1, Title 113, of the Revised Statutes of the State of Texas of 1925, reducing the pay of the officers and men of the State Ranger Force, and eliminating longevity pay, and declaring an emergency."

S. B. No. 30, A bill to be entitled "An Act providing for storage of wild game birds, or wild game animals in public cold storage plants; defining such public cold storage plants; requiring the keeping of records of such stored game; providing the time when such game may be placed on storage; providing for inspection of record books and public cold storage plants where game may be stored; providing suitable penalties, and declaring an emergency."

Respectfully,  
**BOB BARKER,**  
Secretary of the Senate.

## BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 155, "An Act to amend Article 7005, Chapter 7, Title 121, of the Revised Civil Statutes of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, page 755, Chapter 299, and as further amended by Acts of 1931, Forty-second Legislature, page 852, Chapter 360, Section 1, so as to exempt said counties from the provisions of said Chapter 7, Title 121, and abolishing the office of Inspector of Hides and Animals in any and all of the said counties so exempted, and declaring an emergency."

S. B. No. 90, "An Act creating the office of county purchasing agent in certain counties, and declaring an emergency."

H. B. No. 3, "An Act to establish a system of public roads and bridges

for Tarrant County and to empower the commissioners court thereof to provide rules and regulations therefor, and a system for the construction thereof, to condemn private property for such purposes, and to prescribe the powers and duties of the county commissioners, etc., and declaring an emergency."

S. C. R. No. 11, Inviting Dr. William Trufant Foster to address the Legislature.

#### LEAVES OF ABSENCE GRANTED

(By Unanimous Consent)

Mr. Renfro and Mr. Head were granted leaves of absence for yesterday on account of important business, on motion of Mr. Ford.

Mr. West was granted leave of absence for yesterday on account of important business, on motion of Mr. Morse.

On motion of Mr. McDougald, Mr. Nicholson was granted leave of absence for Tuesday, Wednesday, and Thursday of this week.

#### BILLS RE-REFERRED

Mr. Mathis moved that the House Rule, relative to the regular order of business, be suspended for the purpose of making a motion to re-refer certain bills.

The motion prevailed by the following vote:

Yeas—108

Adamson.	Fain.
Aikin.	Few.
Alexander.	Ford.
Alsup.	Fuchs.
Anderson	Glass.
of Bexar.	Golson.
Anderson	Goodman.
of Johnson.	Greathouse.
Baker.	Griiffith.
Barrett.	Hankamer.
Barron.	Harris.
Beck.	Hartzog.
Burns.	Head.
Camp.	Hester.
Cathey.	Hicks.
Caven.	Hill of Webb.
Chastain.	Hodges.
Colson.	Holekamp.
Cowley.	Holland.
Crossley.	Hoskins.
Daniel.	Huddleston.
Davidson.	Hughes.
Dean.	Hunt.
Devall.	Hyder.
Dunagan.	Jackson.
Engelhard.	James.

Jefferson.	Ratliff.
Johnson	Reader.
of Anderson.	Reed of Dallas.
Jones of Atascosa.	Riddle.
Jones of Runnels.	Roberts.
Jones of Shelby.	Rogers of Hunt.
Kyle of Palo Pinto.	Rogers of Ochiltree.
Laird.	Rollins.
Latham.	Ross.
Lemens.	Savage.
Lindsey.	Scarborough.
Lotief.	Shannon.
Magee.	Shults.
Mackay.	Stanfield.
Mathis.	Steward.
McClain.	Stinson.
McCullough.	Stovall.
McDougald.	Sullivant.
McKee.	Tarwater.
Merritt.	Thomas.
Metcalfe.	Tillery.
Mitcham.	Townsend.
Moffett.	Van Zandt.
Moore.	Vaughan.
Morrison.	Wagstaff.
Munson.	Weinert.
Palmer.	Wells.
Parkhouse.	Winningham.
Patterson.	Wood.
Pope.	

Nays—11

Bourne.	Kyle of Hays.
Bradley.	Puryear.
Canon.	Reed of Bowie.
Coombes.	Scott.
Fisher.	Walker.
Good.	

Absent

Bedford.	Long.
Butler.	McGregor.
Calvert.	Morse.
Dunlap.	Nicholson.
Duvall.	Pavlica.
Dwyer.	Ramsey.
Graves.	Ray.
Haag.	Renfro.
Harman.	Russell.
Harrison.	Smith.
Hill of Brazoria.	Tennyson.
Holloway.	West.
Kayton.	Young.

Absent—Excused

Clayton.	Leonard.
Johnson	Turlington.
of Dimmit.	

Mr. Mathis then submitted the following motion:

Whereas, There has been introduced various and sundry bills providing for the regulation of public utilities in this State, as follows:

House Bill No. 95, by Pope, providing for the regulation of public utilities by the governing bodies of incorporated cities and towns and by the commissioners courts of this State;

House Bill No. 144, by Van Zandt, providing for the further regulation of gas utilities by the Railroad Commission of this State;

House Bill No. 204, placing telephone and telegraph companies under the jurisdiction of the Railroad Commission of this State;

House Bill No. 337, defining and prohibiting unlawful discrimination by public utilities; and

House Bill No. 414, providing for the regulation of gas, electric light and power, and telephone and telegraph utilities by the Railroad Commission of this State; and

Whereas, Each of said bills dealing with the same subject matter has been referred to different committees and their consideration by each of said committees would result in a useless waste of time and effort; and

Whereas, It appears that other bills providing for the regulation of public utilities have been introduced, but have not been referred to any committee; now, therefore, be it

Resolved, That each of said bills above-mentioned be recalled from the committees, respectively, to which they were referred, and that said bills, together with any and all other bills providing for the regulation of public utilities, be referred to and considered by the Committee on Municipal and Private Corporations.

Mr. Patterson moved, as a substitute motion, that the bills be referred to the Committee on Common Carriers.

Mr. Barron moved to table the motion by Mr. Patterson.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

#### Yeas—100

Adamson.	Bourne.
Aikin.	Bradley.
Alexander.	Burns.
Anderson	Butler.
of Bexar.	Calvert.
Anderson	Camp.
of Johnson.	Canon.
Baker.	Cathey.
Barrett.	Chastain.
Barron.	Cowley.
Beck.	Crossley.
Bedford.	Daniel.

Davidson.	Mackay.
Dean.	Mathis.
Devall.	McClain.
Dunagan.	McDougald.
Dwyer.	McKee.
Engelhard.	Merritt.
Fain.	Metcalfe.
Fisher.	Mitcham.
Ford.	Moffett.
Fuchs.	Morrison.
Glass.	Palmer.
Good.	Parkhouse.
Goodman.	Pavlica.
Greathouse.	Pope.
Griffith.	Puryear.
Hankamer.	Ratliff.
Harris.	Ray.
Hartzog.	Reader.
Head.	Reed of Bowie.
Hester.	Riddle.
Hicks.	Roberts.
Hill of Brazoria.	Rogers of Hunt.
Hill of Webb.	Rogers
Hodges.	of Ochiltree.
Holekamp.	Rollins.
Hoskins.	Russell.
Huddleston.	Scarborough.
Hughes.	Shannon.
Hunt.	Stanfield.
Jackson.	Tarwater.
James.	Tennyson.
Jefferson.	Tillery.
Johnson	Townsend.
of Anderson.	Van Zandt.
Jones of Atascosa.	Vaughan.
Jones of Runnels.	Wagstaff.
Kyle of Hays.	Wells.
Kyle of Palo Pinto.	Winningham.
Lotief.	Wood.
Magee.	Young.

#### Nays—16

Alsup.	Patterson.
Caven.	Reed of Dallas.
Coombes.	Renfro.
Few.	Ross.
Lemens.	Shults.
Lindsey.	Steward.
Moore.	Stinson.
Munson.	Walker.

#### Absent

Colson.	Laird.
Dunlap.	Latham.
Duvall.	Long.
Golson.	McCullough.
Graves.	McGregor.
Haag.	Morse.
Harman.	Nicholson.
Harrison.	Ramsey.
Holland.	Savage.
Holloway.	Scott.
Hyder.	Smith.
Jones of Shelby.	Stovall.
Kayton.	Sullivan.

Thomas. West.  
Weinert.  
Absent—Excused

Clayton. Leonard.  
Johnson Turlington.  
of Dimmit.

Question then recurring on the motion by Mr. Mathis, it prevailed by the following vote:

Yeas—113

Adamson.	James.
Aikin.	Jefferson.
Alexander.	Johnson
Anderson	of Anderson.
of Johnson.	Jones of Atascosa.
Baker.	Jones of Runnels.
Barrett.	Kyle of Hays.
Barron.	Kyle of Palo Pinto.
Beck.	Laird.
Bedford.	Lemens.
Bourne.	Lindsey.
Bradley.	Lotief.
Burns.	Magee.
Butler.	Mackay.
Calvert.	Mathis.
Camp.	McClain.
Canon.	McDougald.
Chastain.	McKee.
Colson.	Mitcham.
Coombes.	Moffett.
Cowley.	Moore.
Crossley.	Morrison.
Daniel.	Munson.
Davidson.	Palmer.
Dean.	Parkhouse.
Devall.	Patterson.
Dunagan.	Pavlica.
Dwyer.	Pope.
Engelhard.	Puryear.
Fain.	Ratliff.
Few.	Ray.
Fisher.	Reader.
Ford.	Reed of Bowie.
Fuchs.	Reed of Dallas.
Glass.	Renfro.
Golson.	Riddle.
Good.	Roberts.
Goodman.	Rogers of Hunt.
Greathouse.	Rogers
Griffith.	of Ochiltree.
Hankamer.	Rollins.
Harris.	Ross.
Hartzog.	Russell.
Head.	Savage.
Hester.	Scarborough.
Hicks.	Shannon.
Hill of Brazoria.	Shults.
Hodges.	Stanfield.
Holekamp.	Steward.
Hoskins.	Stinson.
Huddleston.	Tarwater.
Hughes.	Tennyson.
Hyder.	Thomas.

Tillery. Walker.  
Townsend. Weinert.  
Van Zandt. Winningham.  
Vaughan. Wood.  
Wagstaff. Young.

Nays—3

Alsup. Hunt.  
Caven.

Absent

Anderson	Latham.
of Bexar.	Long.
Cathey.	McCullough.
Dunlap.	McGregor.
Duvall.	Merritt.
Graves.	Metcalfe.
Haag.	Morse.
Harman.	Nicholson.
Harrison.	Ramsey.
Hill of Webb.	Scott.
Holland.	Smith.
Holloway.	Stovall.
Jackson.	Sullivant.
Jones of Shelby.	Wells.
Kayton.	West.

Absent—Excused

Clayton. Leonard.  
Johnson Turlington.  
of Dimmit.

On motion of Mr. Jones of Atascosa, by unanimous consent of the House, House Bill No. 89 was withdrawn from the Committee on Highways and Motor Traffic and referred to the Committee on Criminal Jurisprudence.

#### BILL RE-COMMITTED

Mr. Beck moved that the House Rule, relative to the regular order of business, be suspended for the purpose of making a motion to re-commit House Bill No. 401 to the Committee on State Affairs.

The motion prevailed by the following vote:

Yeas—99

Adamson.	Colson.
Alexander.	Coombes.
Anderson	Cowley.
of Bexar.	Crossley.
Baker.	Dean.
Barrett.	Devall.
Barron.	Duvall.
Beck.	Dwyer.
Bedford.	Engelhard.
Camp.	Fain.
Canon.	Few.
Cathey.	Fisher.
Caven.	Ford.
Chastain.	Fuchs.

Goodman.	Morrison.
Haag.	Palmer.
Hankamer.	Parkhouse.
Harris.	Pavlica.
Hartzog.	Pope.
Hester.	Puryear.
Hicks.	Ratliff.
Hill of Brazoria.	Ray.
Hill of Webb.	Reader.
Hodges.	Reed of Bowie.
Holekamp.	Reed of Dallas.
Hoskins.	Renfro.
Huddleston.	Roberts.
Hughes.	Rogers of Hunt.
Hunt.	Rogers
Hyder.	of Ochiltree.
James.	Rollins.
Jefferson.	Ross.
Johnson	Savage.
of Anderson.	Scarborough.
Jones of Atascosa.	Shannon.
Jones of Runnels.	Stanfield.
Kyle of Palo Pinto.	Steward.
Laird.	Stinson.
Lemens.	Stovall.
Lindsey.	Tarwater.
Magee.	Tillery.
Mackay.	Townsend.
Mathis.	Van Zandt.
McClain.	Vaughan.
McDougald.	Wagstaff.
McKee.	Walker.
Merritt.	Weinert.
Metcalfe.	Wells.
Mitcham.	West.
Moffett.	Winningham.
Moore.	Wood.

## Nays—12

Aikin.	Kyle of Hays.
Bourne.	Lotief.
Burns.	Scott.
Butler.	Shults.
Davidson.	Tennyson.
Glass.	Thomas.

## Absent

Alsup.	Jackson.
Anderson	Jones of Shelby.
of Johnson.	Kayton.
Bradley.	Latham.
Calvert.	Long.
Daniel.	McCullough.
Dunlap.	McGregor.
Dunagan.	Morse.
Golson.	Munson.
Good.	Nicholson.
Graves.	Patterson.
Greathouse.	Ramsey.
Griffith.	Riddle.
Harman.	Russell.
Harrison.	Smith.
Head.	Sullivant.
Holland.	Young.
Holloway.	

## Absent—Excused

Clayton.	Leonard.
Johnson	Turlington.
of Dimmit.	

Mr. Anderson of Bexar then moved that House Bill No. 401 be recommitted to the Committee on State Affairs.

The motion prevailed by the following vote:

## Yeas—96

Adamson.	Kyle of Palo Pinto.
Alexander.	Laird.
Anderson	Lemens.
of Bexar.	Lindsey.
Baker.	Magee.
Barrett.	Mackay.
Barron.	Mathis.
Beck.	McClain.
Bedford.	McDougald.
Bourne.	McGregor.
Camp.	Merritt.
Canon.	Metcalfe.
Cathey.	Mitcham.
Caven.	Moffett.
Chastain.	Moore.
Colson.	Morrison.
Coombes.	Palmer.
Cowley.	Pavlica.
Crossley.	Pope.
Dean.	Puryear.
Devall.	Ratliff.
Duvall.	Ray.
Dwyer.	Reader.
Engelhard.	Reed of Bowie.
Few.	Reed of Dallas.
Fisher.	Renfro.
Ford.	Riddle.
Goodman.	Roberts.
Haag.	Rogers of Hunt.
Hankamer.	Rollins.
Harris.	Ross.
Harrison.	Savage.
Hartzog.	Scarborough.
Hester.	Shannon.
Hicks.	Stanfield.
Hill of Brazoria.	Steward.
Hill of Webb.	Tarwater.
Hodges.	Tillery.
Hoskins.	Townsend.
Huddleston.	Van Zandt.
Hughes.	Vaughan.
Hunt.	Wagstaff.
Hyder.	Walker.
James.	Weinert.
Jefferson.	Wells.
Johnson	West.
of Anderson.	Winningham.
Jones of Atascosa.	Wood.
Jones of Runnels.	Young.

## Nays—13

Aikin.	Butler.
Burns.	Davidson.

Fain.	Scott.
Glass.	Shults.
Kyle of Hays.	Tennyson.
Lotief.	Thomas.
McKee.	

## Absent

Alsup.	Jackson.
Anderson	Jones of Shelby.
of Johnson.	Kayton.
Bradley.	Latham.
Calvert.	Long.
Daniel.	McCullough.
Dunlap.	Morse.
Dunagan.	Munson.
Fuchs.	Nicholson.
Golson.	Parkhouse.
Good.	Patterson.
Graves.	Ramsey.
Greathouse.	Rogers
Griffith.	of Ochiltree.
Harman.	Russell.
Head.	Smith.
Holekamp.	Stinson.
Holland.	Stovall.
Holloway.	Sullivant.

## Absent—Excused

Clayton.	Leonard.
Johnson	Turlington.
of Dimmit.	

COMMUNICATION IN REGARD TO  
MORTGAGE LIENS

On motion of Mr. Dunlap, by unanimous consent of the House, the following communication was ordered printed in the Journal:

Due to the low price of farm products and general economic conditions now prevailing, many landowners in Texas are unable to meet their mortgage obligations. The promiscuous foreclosure of real estate mortgage liens at this time would result in many families losing their homes in which they have substantial equities representing lifetime savings.

We, the undersigned Texas life insurance companies, have given earnest consideration to this matter. In the working out of the problem presented it is but reasonable to expect that we should give full co-operation consistent with financial safety.

We have been advised by counsel that the foreclosure of existing mortgages according to their terms, cannot be prevented or postponed by legislative act. It is evident, therefore, that if any relief is obtained it must be the result of the voluntary act of the mortgage holders.

Recognizing that it would be most unfortunate for anyone to be deprived of his home at this time through foreclosure merely because of his inability to pay, each of the undersigned companies has decided that it will not, during the year 1933, foreclose any lien on any property occupied by any mortgagor as the homestead of himself and family, whether it be rural or urban, on account of such inability to pay.

With reference to mortgages on other than homestead properties it is our purpose to pursue our present policy of exercising the utmost leniency consistent with safety in investment. It must be recognized that possibly cases will arise in which it could not be reasonably expected that the lender would forego the enforcement of its lien. There may be instances in which inferior lienholders have foreclosed and taken possession of the property for the purpose of securing the rents and revenues therefrom, or the owner of the property may refuse to apply any of the rents or revenues received from the property to the payment either of interest or of taxes. In other instances the landowner may abandon the property or refuse to cultivate it, or, in the case of city rental property, refuse to keep the improvements in repair or insured. Other exceptional and unusual conditions may arise under which it would be necessary for the lender to secure possession of the property in order to protect its investment.

In the absence of extreme necessity such as above enumerated, it will be our fixed policy during this period to avoid foreclosure proceedings and forbear with borrowers to the end that they may ultimately save their properties and meet their obligations. Possibly there may be some who, although amply able to meet their obligations, will undertake to avoid payment because of the leniency extended to those who have not the ability to pay. Every man should meet his just obligations and it should not be expected that the lenders should forego their rights to collect from those who are amply able to pay.

We urge all corporations and individuals owning and holding notes secured by mortgages on lands in Texas to adopt this policy with reference to the enforcement of mortgage liens.



Signed this, the 8th day of February, 1933:

Great Southern Life Insurance Company, Houston, Texas; Southwestern Life Insurance Company, Dallas, Texas; Southland Life Insurance Company, Dallas, Texas; American National Insurance Company, Galveston, Texas; Amicable Life Insurance Company, Waco, Texas; Seaboard Life Insurance Company, Houston, Texas; United Fidelity Life Insurance Company, Dallas, Texas; Gulf States Security Life Insurance Company, Dallas, Texas; Southern Old Line Life Insurance Company, Dallas, Texas; Fidelity Union Life Insurance Company, Dallas, Texas; Harvester Life Insurance Company, Dallas, Texas; Great National Life Insurance Company, Dallas, Texas; Trinity Life Insurance Company, Fort Worth, Texas; Republic Life Insurance Company, Dallas, Texas; Western Reserve Life Insurance Company, San Angelo, Texas; Rio Grande National Life Insurance Company, Dallas, Texas; Universal Life & Accident Insurance Company, Dallas, Texas; National Standard Life Insurance Company, Houston, Texas.

#### RELATIVE TO TEXAS-OKLAHOMA BOUNDARY LINE

Mr. Rogers of Ochiltree called up, for consideration at this time, the motion to reconsider the vote by which Senate Concurrent Resolution No. 10, Relative to the boundary line between Texas and Oklahoma, was, on yesterday, adopted, which motion to reconsider was, on yesterday, spread on the Journal.

Question recurring on the motion to reconsider the vote by which the resolution was adopted, it prevailed.

On motion of Mr. Rogers of Ochiltree, the resolution was referred to the Committee on Federal Relations.

#### BILL ORDERED NOT PRINTED

(By Unanimous Consent)

On motion of Mr. Long, House Bill No. 242 was ordered not printed.

#### HOUSE BILL NO. 150 ON THIRD READING

The Speaker laid before the House, as unfinished business, on its final passage,

H. B. No. 150, A bill to be entitled "An Act to amend Article 2218, Title 41, Chapter 9, of the Revised Civil Statutes, 1925, providing that in a foreclosure, if the property be real property, and if the proceeds of such sale be insufficient to satisfy the mortgage and other liens, then no judgment shall issue, as a deficiency judgment against any other property of the defendant to satisfy any balance thereof remaining unpaid, and declaring an emergency";

The bill having been read third time on yesterday.

Mr. Pope offered the following amendment to the bill:

Amend House Bill No. 150 by adding at the end of Section 1, the following: "Providing that if the property be real property, and if sold under deed of trust or other contract and the proceeds of such sale be insufficient to satisfy the debt, and the mortgagee or lien holder shall thereafter bring suit against the maker of the debt or any person who has assumed the payment thereof, or who is obligated thereon, or if a deficiency judgment exists after sale under execution or order of sale, the defendant or defendants in such suit may plead as a defense or partial defense to such suit or against such deficiency judgment that said property at such foreclosure was sold for less than its market value at the time and place of such sale; and may by proper pleading and evidence show the market value of such property at the time and place of such foreclosure sale; and if such market value be shown to be more than the amount for which such property was sold at such foreclosure, the defendant or defendants shall be entitled to a credit upon such deficiency indebtedness of the difference between the amount of such foreclosure price and the market value of such property at the time and place of such foreclosure sale."

The amendment was adopted.

Mr. Goodman offered the following amendment to the bill:

Amend House Bill No. 150 by adding, after the word "property," in line 1, page 2, the following: "Provided the provisions of this Act shall not apply to, or impair valid contracts or liens now existing."

The amendment was lost.

House Bill No. 150 was then passed by the following vote:

## Yeas—108

Adamson.	Jones of Runnels.
Aikin.	Jones of Shelby.
Alexander.	Kayton.
Alsup.	Kyle of Hays.
Anderson	Kyle of Palo Pinto.
of Bexar.	Latham.
Anderson	Lemens.
of Johnson.	Leonard.
Baker.	Lindsey.
Barrett.	Lotief.
Barron.	Magee.
Beck.	Mackay.
Bourne.	Mathis.
Bradley.	McClain.
Butler.	McCullough.
Calvert.	McDougald.
Camp.	McKee.
Canon.	Merritt.
Cathey.	Metcalf.
Chastain.	Mitcham.
Colson.	Morrison.
Coombes.	Palmer.
Crossley.	Parkhouse.
Davidson.	Pavlica.
Dean.	Pope.
Devall.	Puryear.
Dwyer.	Ratliff.
Engelhard.	Reader.
Fain.	Reed of Bowie.
Few.	Reed of Dallas.
Fisher.	Riddle.
Glass.	Roberts.
Golson.	Rogers of Hunt.
Good.	Rogers
Greathouse.	of Ochiltree.
Griffith.	Rollins.
Hankamer.	Ross.
Harris.	Russell.
Hartzog.	Savage.
Head.	Scarborough.
Hester.	Scott.
Hicks.	Smith.
Hill of Webb.	Stanfield.
Hodges.	Stinson.
Holekamp.	Sullivant.
Holland.	Tarwater.
Holloway.	Tennyson.
Hoskins.	Thomas.
Huddleston.	Tillery.
Hughes.	Townsend.
Hyder.	Walker.
James.	Weinert.
Jefferson.	Wells.
Johnson	Winningham.
of Anderson.	Wood.
Jones of Atascosa.	Young.

## Nays—10

Bedford.	Munson.
Moore.	Renfro.
Morse.	Shults.

Steward.  
Van Zandt.

Vaughan.  
Wagstaff.

## Present—Not Voting

Ford.  
Goodman.

Stovall.

## Absent

Burns.	Hunt.
Caven.	Jackson.
Cowley.	Laird.
Daniel.	Long.
Dunlap.	McGregor.
Dunagan.	Moffett.
Duvall.	Nicholson.
Fuchs.	Patterson.
Graves.	Ramsey.
Haag.	Ray.
Harman.	Shannon.
Harrison.	West.
Hill of Brazoria.	

## Absent—Excused

Clayton.	Turlington.
Johnson	
of Dimmit.	

Mr. Calvert moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider. The motion to table prevailed.

## REASONS FOR VOTES

I feel that I have a personal interest in House Bill No. 150, regarding foreclosures and judgments. Complying with Rule XII, Section 2, I here now disclose that fact, and will vote "present" on all amendments and the bill.

FORD.

I believe this bill to be unconstitutional, and that its ultimate result will be the impairment of credit. Out of popular demand, however, I am voting for it.

KYLE of Hays.

My reason for voting "no" on House Bill No. 150:

I believe this bill will injure the persons it attempts to aid, and will prevent the renewal of "loans."

VAN ZANDT.

## HOUSE BILL NO. 7 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 7, A bill to be entitled "An Act providing a uniform system

of selecting the number and setting the salaries of deputies of the sheriff, county clerk, county attorney, district clerk, tax assessor, tax collector, district attorney, constables, and justices of the peace in precincts of more than fifty thousand inhabitants, etc., and declaring an emergency."

The bill was read second time.

Mrs. Hughes offered the following committee amendment to the bill:

Amend House Bill No. 7 by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. The county judge of each county in his capacity as budget officer for the commissioners court in each county shall, during the month of November of each year, assisted by the county auditor or by the county clerk, in those counties in which there is no county auditor, prepare a budget to cover all proposed expenditures for the offices of the sheriff, county clerk, county attorney, district clerk, tax assessor, tax collector, and or tax collector-tax assessor, district attorney, constables, and justices of the peace for the year beginning the following January 1st. Such budget shall be carefully itemized and shall include the salaries and number of deputies and assistants in each of said offices, and all other expense necessary for the operation of said offices. Such budget shall provide for the amount to be paid for each office out of the fees of office and the amount to be appropriated out of the general fund by the commissioners court, and such appropriations shall be within the discretion of the commissioners court. In the preparation of the budget for each of said offices the county judge shall make such investigation as may be deemed necessary and shall also have authority to require any officer of the county and/or officer-elect of the county to furnish such information concerning his office as may be necessary in the preparation of such budget.

"Sec. 2. Prior to the fifteenth day of December, of each year, the county commissioners court shall provide for a public hearing on the proposed budget, after notice in some paper of general circulation in the county or by posting for ten days at the courthouse in those counties in which there is no such paper, giving the date and place of the hearing.

Any citizen of such county shall have the right to be present and participate in said hearing. Prior to the twentieth of December of each year the budget shall be acted upon by the commissioners court and the court in entering its order shall take into consideration any and all information obtained, and may make such changes in the proposed budget as it may deem advisable for the interests of the people. When the budget for the said offices has been finally approved by the commissioners court the order approving same, together with a copy of the budget, shall be filed with the clerk of the county court, and a certified copy thereof filed in the office of the State Comptroller. The expenditures of the officers shall be in strict conformity with the budget adopted by the commissioners court; provided and except, however, that the commissioners court is authorized to make, from time to time, such amendments increasing or decreasing appropriations provided for in such budget as are in the judgment of the court necessary, and no additional expense and/or change in the expenditures may be made until after such expense and/or change has been authorized by the court. In every case where the budget is amended by the court the order amending same shall state fully the reasons and the necessity for such an amendment; and a copy of same shall be filed with the clerk of the county court and attached to the budget originally adopted.

"Sec. 3. The commissioners court in providing such budget is expressly authorized to fix the compensation for each deputy, assistant, and employe of said officers named in Section 1, regardless of the limitations and maximums now provided by law, and all laws in conflict herewith are hereby repealed.

"Sec. 4. If any of the officers named in Section 1 hereof shall fail to comply with the provisions of this Act, such officer shall be liable to a penalty of twenty-five dollars (\$25) for each day such officer fails to comply with each of the provisions hereof; and in case of such failure it shall be the duty of the commissioners court to bring suit to recover against such officer for such purpose.

"Sec. 5. Articles 326-g, 3886, 3887, 3902, 3902-a, 3902-b, 3902-c, 3902-d,

3902-e, 3902-f, 3902-g, of the Revised Civil Statutes, and Article 1041 of the Code of Criminal Procedure, and all such other articles in conflict herewith are hereby repealed.

"Sec. 6. The fact that there is no adequate law to provide for the budgeting of the offices of the sheriff, county clerk, county attorney, district clerk, tax assessor, tax collector, district attorney, constables, and justices of the peace, and the further fact that such law is urgently needed to conserve the funds of the county, create an emergency and an imperative public necessity that the constitutional rule, requiring that bills be read on three several days in each House, be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

#### RECESS

Mr. Moffett moved that the House recess to 2 o'clock p. m., today.

Mr. Coombes moved that the House recess to 1:30 o'clock p. m., today.

The motion of Mr. Moffett prevailed, and the House, accordingly, at 12 o'clock m., took recess to 2 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

#### HOUSE BILL NO. 7 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 7, relative to salaries of deputy sheriffs, etc., the bill having heretofore been read second time, with committee amendment by Mrs. Hughes, pending.

Mr. Bedford offered the following amendments to the committee amendment:

(1)

Amend committee amendment No. 1, Section 1, line 6, by striking out the word "November," and insert in lieu thereof the word "July."

(2)

Amend committee amendment No. 1, Section 2, line 34, by striking out the

words "twentieth of December," and insert in lieu thereof "first of October."

(3)

Amend committee amendment No. 1, Section 2, line 27, by striking out the words "prior to the fifteenth day of December," and insert in lieu thereof the words "subsequent to the fifteenth day of August and prior to the first of October."

(4)

Amend committee amendment No. 1, page 5, Section 5, line 28, by striking out the figures "3887," and in line 31 of the same section, after the word "herewith," and insert the following: "except Article 3887, of the Revised Civil Statutes, as amended by Acts of the Forty-second Legislature, Chapter 326, page 800."

The amendments were severally adopted.

Mr. Anderson of Bexar offered the following amendment to the committee amendment:

Amend House Bill No. 7, page 5, line 19, by striking out all of lines 19 and 20, and inserting the following in lieu thereof: "provided, in counties of more than 250,000 population, the commissioners court shall not be permitted to name or permit a greater number of deputies, assistants or employes than is now provided for by law, nor shall the salaries for such deputies, assistants, or employes exceed the following: One chief deputy, or assistant, at an annual salary of not more than \$3,200, and such other assistants as may now be provided for by law, whose salaries shall not exceed the sum of \$2,400 per annum each. In the fixing of the salaries of all employes other than the deputies or assistants, the commissioners court shall fix a maximum salary of not more than \$125 per month."

Mr. Coombes raised a point of order on further consideration of the amendment on the ground that the amendment is not germane to the bill.

The Speaker overruled the point of order.

The amendment by Mr. Anderson of Bexar was adopted.

Mr. Kyle of Hays moved that further consideration of the bill be postponed until 10 o'clock a. m., next Tuesday.

Mr. Anderson of Bexar moved to table the motion to postpone.

The motion to table was lost by the following vote:

## Yeas—41

Anderson	Magee.
of Bexar.	Mackay.
Anderson	McCullough.
of Johnson.	McDougald.
Baker.	Morrison.
Beck.	Munson.
Chastain.	Parkhouse.
Coombes.	Pavlica.
Davidson.	Puryear.
Dunagan.	Reader.
Dwyer.	Reed of Bowie.
Few.	Reed of Dallas.
Fuchs.	Scott.
Good.	Shults.
Griffith.	Stanfield.
Hankamer.	Stinson.
Holekamp.	Townsend.
Jones of Atascosa.	Vaughan.
Jones of Shelby.	Wagstaff.
Kayton.	Walker.
Kyle of Palo Pinto.	Winningham.
Latham.	

## Nays—68

Adamson.	Hunt.
Aikin.	Hyder.
Alexander.	James.
Alsup.	Johnson
Barrett.	of Anderson.
Bourne.	Jones of Runnels.
Bradley.	Kyle of Hays.
Burns.	Lemens.
Butler.	Leonard.
Calvert.	Lindsey.
Camp.	Lotief.
Canon.	McClain.
Cathey.	Merritt.
Caven.	Metcalfe.
Colson.	Moffett.
Cowley.	Moore.
Crossley.	Morse.
Daniel.	Palmer.
Dean.	Ratliff.
Devall.	Ray.
Fain.	Renfro.
Fisher.	Roberts.
Glass.	Rogers of Hunt.
Golson.	Rogers
Goodman.	of Ochiltree.
Greathouse.	Rollins.
Haag.	Ross.
Harris.	Smith.
Hester.	Steward.
Hicks.	Sullivant.
Hodges.	Tennyson.
Holland.	Van Zandt.
Hoskins.	Wells.
Huddleston.	Wood.
Hughes.	Young.

## Absent

Barron.	Mathis.
Bedford.	McGregor.
Dunlap.	McKee.
Duvall.	Mitcham.
Engelhard.	Patterson.
Ford.	Pope.
Graves.	Ramsey.
Harman.	Riddle.
Harrison.	Russell.
Hartzog.	Savage.
Head.	Scarborough.
Hill of Brazoria.	Shannon.
Hill of Webb.	Stovall.
Holloway.	Tarwater.
Jackson.	Thomas.
Jefferson.	Tillery.
Laird.	Weinert.
Long.	West.

## Absent—Excused

Clayton.	Nicholson.
Johnson	Turlington.
of Dimmit.	

Mr. McDougald moved that the bill be re-referred to the Committee on Counties.

Mr. Coombes moved that further consideration of the bill be postponed until 10 o'clock a. m., February 23.

The motion was lost.

Question then recurring on the motion by Mr. Kyle of Hays, it prevailed.

Mr. Parkhouse moved to reconsider the vote by which House Bill No. 7 was postponed until next Tuesday.

The motion to reconsider prevailed.

Mr. Kyle of Hays then withdrew the motion to postpone the bill.

On motion of Mr. Chastain, the bill was re-referred to the Committee on Counties.

## HOUSE BILL NO. 12 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 12, A bill to be entitled "An Act regulating fees of office for each county officer, precinct officer, district clerk, district attorney, and criminal district attorney, receiving fees of office for his services; providing for the payment of the premium on officer's bond, necessary expenses, deputies and assistants as allowed and approved by the county commissioners court; providing the amounts to be retained by said officers and the

amounts to be paid into the county treasury, etc., and declaring an emergency."

The bill was read second time.

Mr. Savage moved that further consideration of the bill be postponed until next Tuesday.

The motion prevailed.

Mr. Chastain moved to reconsider the vote by which the bill was postponed.

The motion to reconsider prevailed.

Mr. Savage then withdrew the motion to postpone the bill.

On motion of Mr. Chastain, the bill was re-referred to the Committee on Counties.

#### HOUSE BILL NO. 16 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 16, A bill to be entitled "An Act amending Article 3891, of the Revised Civil Statutes, as amended by the Forty-second Legislature, providing for the disposition of fees of officers; providing that if any part of this Act is held unconstitutional, it shall not affect the remaining parts of the Act; repealing all laws in conflict herewith; fixing the effective date of the bill, and declaring an emergency."

The bill was read second time.

On motion of Mr. Chastain, the bill was re-referred to the Committee on Counties.

#### RELATING TO HOUSE BILL NO. 150

On motion of Mr. Pope, by unanimous consent of the House, the caption of House Bill No. 150 was ordered amended to conform to the body of the bill.

#### HOUSE BILL NO. 33 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 33, A bill to be entitled "An Act to amend Section 3, of Chapter 88, of the Acts of the Second Called Session of the Forty-first Legislature of the State of Texas, so as to require applicants for registration of vehicles subject to registration under said Chapter to exhibit to the

tax collector, receipts for ad valorem State and county and city taxes, where such applicant resides in an incorporated city, which became due on such vehicle during the preceding year, or, in lieu thereof, satisfy such collector by affidavit that such vehicle was not subject to taxation during the preceding year, making it unlawful for any tax collector to issue registration receipt or license plates, or for any applicant to receive the same contrary to the provisions of this Act, and declaring an emergency."

The bill was read second time.

Mr. Caven offered the following committee amendment to the bill:

Amend House Bill No. 33 by striking out all below the enacting clause, and substituting in lieu thereof the following:

"Section 1. That Section 3, of Chapter 88, of the Acts of the Second Called Session of the Forty-first Legislature of the State of Texas, be, and the same is hereby, amended so as to hereafter read as follows:

"Section 3. Application for the registration of a vehicle required to be registered hereunder shall be made on a form furnished by the Department, each such application shall be signed by the owner of the vehicle, and shall give his name and address in full, and shall contain a brief description of the vehicle to be registered. Said description, case of new motor vehicle, shall include: The trade name of the vehicle; the year model; the style, type of body and the weight, if a passenger car, or the net carrying capacity and gross weight, if a commercial motor vehicle; the motor number, the date of sale by manufacturer, or dealer, to the applicant. The application shall contain such other information as may be required by the Department.

"Provided, that each such applicant for the registration of a vehicle required to be registered under the provisions of Chapter 88, Acts of the Forty-first Legislature, Second Called Session, shall exhibit to the tax collector a receipt of the tax collector of the county and city, if the applicant resides in a city, showing the payment of the State, county, and city ad valorem taxes for the preceding year for which such vehicle was subject to assessment; or each such applicant shall be supported by the affi-

davit of the applicant that such vehicle was not subject to assessment for such taxes for such preceding year. And it shall be unlawful for any tax collector to issue, and the applicant to receive, a registration receipt or license plates based thereon contrary to the provisions hereof.

"It is expressly provided, however, that the owner of a vehicle previously registered in any State for the preceding or current year may, in lieu of filing an application as hereinbefore directed, present the license receipt and transfer receipts, if any, issued for the registration or transfer of the vehicle for the preceding calendar year, and said receipt or receipts shall be accepted by the county tax collector as an application for the renewal of the registration of the vehicle, provided said receipts show that the applicant is the rightful owner thereof. Provided, however, that should an owner or a claimed owner of a motor vehicle or automobile offer to register same, but has lost or misplaced the registration receipt or transfer, then upon his furnishing satisfactory evidence to the tax collector, by affidavit or otherwise, that he is the real owner of same, then shall it become the duty of the tax collector to issue him license therefor. It shall be the duty of the tax collector to date each registration receipt issued for a vehicle the same date that application is made for registration of such vehicle. Owners of motor vehicles, trailers, and semi-trailers, which are the property of, and used exclusively in the service of the United States Government, the State of Texas, or any county or city thereof, shall apply annually to register all such vehicles, but shall not be required to pay the registration fees herein prescribed, provided that affidavit is made at the time of registration by a person who has the proper authority that such vehicles are the property of, and used exclusively in the service of, the United States Government, the State of Texas, or county or city thereof. Application shall be made for registration of a new vehicle for the unexpired portion of the year in which it is acquired before it is operated on the public highways, except that a new vehicle may be operated temporarily by a dealer under a dealer's license number, or by its purchaser under a special dealer's cardboard number, as provided in Chapter 211,

General and Special Laws of the Regular Session of the Fortieth Legislature. Application for the renewal of registration of a vehicle and for each chauffeur's license for any calendar year shall be made not later than February 1 of that year, and not later than December 1 of the next preceding calendar year; and during the month of January of each year it shall be lawful to operate any such vehicle under license number plates and license issued for such vehicle for the preceding calendar year.'

"Sec. 2. The Comptroller may require separate rolls to be kept for the assessment and rendition of taxes on motor vehicles, and shall adopt rules and regulations prescribing the form of tax receipts for the separate payment of taxes on motor vehicles and the kind of records to be kept by the tax assessors and tax collectors; and any tax assessor or tax collector failing or refusing to abide by such rules, after receiving a copy thereof, shall forfeit to the State of Texas as a penalty not less than \$10 nor more than \$100, and each day's violation shall constitute a separate offense.

"The tax collector of each county is hereby authorized and directed to accept payment of taxes on motor vehicles, including all kinds of aircraft, without requiring payment of other taxes, and to issue separate tax receipts therefor, and to issue duplicate tax receipts, where the originals have been lost, describing said vehicle.

"Sec. 3. The tax assessor and tax collector shall receive five cents for each motor vehicle which appears upon the tax rolls of said county, to be paid as other fees out of the taxes collected. The receipts provided for herein shall not be required to be issued or be demanded by the tax collector before registration for taxes for the year 1930.

"Sec. 4. The fact that it is necessary that each motor vehicle in this State be separately assessed so that taxes may be collected separately thereon, creates an emergency and an imperative public necessity, demanding the suspension of the constitutional rule, requiring bills to be read on three several days, and the same is hereby suspended, and this Act to be in force and effect from and after its passage, and it is so enacted."

Mr. Bedford offered the following amendment to the committee amendment:

Amend committee amendment No. 1, to House Bill No. 33, by adding thereto two additional Sections, to be known as Section 3-a and Section 3-b:

"Sec. 3-a. That Section 5, of Chapter 88, of the Acts of the Second Called Session, of the Forty-first Legislature of the State of Texas be, and the same is hereby, amended so as to hereafter read as follows:

"Sec. 5. The annual license fee for the registration of a motorcycle

shall be four dollars (\$4), and for each side car, two dollars (\$2).

"The annual license fee for the registration of a passenger car shall be a flat rate of six dollars (\$6) for each car."

"Sec. 3-b. That Section 6, of Chapter 88, of the Acts of the Second Called Session, of the Forty-first Legislature of the State of Texas be, and the same is hereby, amended so as to hereafter read as follows:

"Sec. 6. The annual license fee for the registration of a commercial motor vehicle or truck-tractor shall be based upon the gross weight and tire equipment of the vehicle, as follows:

Fee Per 100 Lbs. or Fraction Thereof

"Gross Weight in Lbs.	Equipped with Pneumatic Tires	Equipped with Solid Rubber Tires
1- 6,000 .....	\$ .30	\$ .40
6,001- 8,000 .....	.40	.50
8,001-10,000 .....	.50	.60
10,001-12,000 .....	.60	.80
12,001-14,000 .....	.70	.90
14,001-16,000 .....	.80	1.10
16,001-22,000 .....	1.20	1.40
22,001-26,000 .....	1.50	1.90
26,001-and up .....	3.90	4.90

"The term gross weight as used in this section shall mean the actual weight of the vehicle fully equipped with body and other equipment, as certified by any official public weigher, or any license and weight inspector of the State Highway Department, plus its net carrying capacity. 'Net carrying capacity' of any vehicle, except a bus as used in this section, shall be the weight of the heaviest net load to be carried on the vehicle being registered; provided said net carrying capacity shall in no case be less than the manufacturer's rated carrying capacity. 'The net carrying capacity of a bus as defined in this Act shall be computed by multiplying its seating capacity by 150 pounds. The seating capacity of any such vehicle shall be the manufacturer's rated seating capacity, exclusive of the driver's, or operator's, seat. The seating capacity of any such vehicle not rated by the manufacturer shall be determined by allowing one passenger for each sixteen inches that such vehicle will seat, exclusive of the driver's or operator's seat.'"

BEDFORD,  
REED of Dallas.

Mr. Chastain raised a point of order on further consideration of the amendment by Mr. Bedford, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

Mr. Leonard offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 33 by adding at the end of Section 2 the following:

"In the event the owner of a vehicle coming under the provisions of this Act, which was subject to assessment under the provisions of this Act, but was not rendered, then the owner of the vehicle may present himself before the county tax assessor, who shall accept his rendition and properly compute the tax and enter it upon a supplemental tax roll, which shall then be forwarded to the tax collector's office. The owner of the vehicle may then present himself to the tax collector, pay the property tax on his vehicle, and receive a receipt therefor, which shall be accepted as other receipts under the provisions of this Act."



Mr. Greathouse offered the following amendment to the bill:

Amend House Bill No. 33 and substitute amendments by striking out the enacting clause.

GREATHOUSE,  
STANFIELD.

Mr. Chastain moved that the bill be laid on the table subject to call, and the motion was lost.

Question then recurring on the amendment by Mr. Greathouse, it was lost.

Question then recurring on the amendment by Mr. Leonard, it was adopted.

Question next recurring on the committee amendment as amended, it was adopted.

Mr. Caven offered the following committee amendment to the bill:

Amend House Bill No. 33 by striking out all above the enacting clause, and substituting in lieu thereof the following:

"H. B. No. 33,

#### A BILL

#### To Be Entitled

An Act to amend Section 3, of Chapter 88, of the Acts of the Second Called Session of the Forty-first Legislature of the State of Texas, so as to require applicants for registration of vehicles subject to registration under said chapter, to exhibit to the tax collector receipts for ad valorem State and county taxes, and city ad valorem taxes, where such applicant resides in an incorporated city, which became due on such vehicle during the preceding year, or in lieu thereof, satisfy such collector by affidavit, that such vehicle was not subject to taxation during the preceding year, making it unlawful for any tax collector to issue registration receipt or license plates, or for any applicant to receive the same, contrary to the provisions of this Act; and providing that the Comptroller may require separate rolls to be kept for the assessment and rendition of taxes on motor vehicles; and shall adopt rules and regulations prescribing the form of tax receipts for the separate payment of taxes on motor vehicles, and the kind of records to be kept by the tax assessors and tax collectors; provid-

ing a penalty for any tax assessor or tax collector failing or refusing to abide by such rules; providing for fees for the assessment and collection of taxes on motor vehicles, and declaring an emergency."

The amendment was adopted.

Question then recurring on the engrossment of the bill, yeas and nays were demanded.

House Bill No. 33 then failed to pass to engrossment, by the following vote:

#### Yeas—56

Alsup.	Holloway.
Anderson	Hoskins.
of Johnson.	Hughes.
Baker.	Hunt.
Beck.	Jefferson.
Bedford.	Jones of Atascosa.
Bourne.	Kayton.
Burns.	Latham.
Butler.	Lemens.
Calvert.	Leonard.
Camp.	Long.
Caven.	Magee.
Coombes.	Mackay.
Camp.	Metcalfe.
Canon.	Mitcham.
Devall.	Munson.
Dunagan.	Pavlica.
Dwyer.	Ray.
Engelhard.	Rogers of Ochiltree.
Fuchs.	Russell.
Glass.	Savage.
Good.	Shannon.
Goodman.	Shults.
Haag.	Steward.
Hankamer.	Stinson.
Harman.	Vaughan.
Harris.	Wells.
Head.	Winningham.
Hester.	

#### Nays—68

Adamson.	Holekamp.
Aikin.	Holland.
Alexander.	Huddleston.
Barrett.	Hyder.
Bradley.	James.
Canon.	Johnson
Chastain.	of Anderson.
Colson.	Jones of Runnels.
Davidson.	Jones of Shelby.
Dean.	Kyle of Hays.
Fain.	Kyle of Palo Pinto.
Few.	Laird.
Fisher.	Lindsey.
Golson.	Lotief.
Greathouse.	McClain.
Harrison.	McCullough.
Hartzog.	McDougald.
Hicks.	McGregor.
Hill of Webb.	McKee.
Hodges.	Merritt.

Moffett.	Rogers of Hunt.
Moore.	Rollins.
Morrison.	Scarborough.
Morse.	Smith.
Palmer.	Stanfield.
Parkhouse.	Stovall.
Patterson.	Sullivant.
Pope.	Tarwater.
Purveyer.	Thomas.
Ratliff.	Van Zandt.
Reader.	Wagstaff.
Reed of Bowie.	Walker.
Reed of Dallas.	Wood.
Riddle.	Young.
Roberts.	

## Absent

Anderson	Jackson.
of Bexar.	Mathis.
Barron.	Ramsey.
Cathey.	Renfro.
Cowley.	Ross.
Dunlap.	Scott.
Duvall.	Tennyson.
Ford.	Tillery.
Graves.	Townsend.
Griffith.	Weinert.
Hill of Brazoria.	West.

## Absent—Excused

Clayton.	Nicholson.
Johnson	Turlington.
of Dimmit.	

Mr. Pope moved to reconsider the vote by which the bill failed to pass to engrossment, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—61

Adamson.	Huddleston.
Bradley.	Hyder.
Butler.	James.
Chastain.	Jefferson.
Colson.	Johnson
Coombes.	of Anderson.
Davidson.	Jones of Runnels.
Dean.	Jones of Shelby.
Dwyer.	Kyle of Hays.
Fain.	Kyle of Palo Pinto.
Few.	Lindsey.
Fisher.	McClain.
Golson.	McDougald.
Greathouse.	McKee.
Haag.	Merritt.
Hartzog.	Mitcham.
Hicks.	Moore.
Hill of Webb.	Morrison.
Holekamp.	Morse.
Holland.	Palmer.

Parkhouse.	Scarborough.
Patterson.	Shannon.
Pope.	Smith.
Purveyer.	Stanfield.
Ratliff.	Stovall.
Reader.	Tarwater.
Reed of Bowie.	Van Zandt.
Riddle.	Wagstaff.
Roberts.	Walker.
Rogers of Hunt.	Wood.
Rollins.	Young.

## Nays—58

Aikin.	Hoskins.
Alexander.	Hughes.
Alsup.	Hunt.
Anderson	Jones of Atascosa.
of Johnson.	Laird.
Baker.	Latham.
Barrett.	Lemens.
Beck.	Leonard.
Bourne.	Long.
Burns.	Lotief.
Calvert.	Magee.
Camp.	Mackay.
Canon.	McCullough.
Caven.	Metcalf.
Crossley.	Moffett.
Daniel.	Munson.
Devall.	Pavlica.
Dunagan.	Ray.
Engelhard.	Rogers
Fuchs.	of Ochiltree.
Glass.	Russell.
Good.	Savage.
Goodman.	Shults.
Hankamer.	Steward.
Harman.	Stinson.
Harris.	Sullivant.
Head.	Thomas.
Hester.	Vaughan.
Hodges.	Wells.
Holloway.	Winningham.

## Absent

Anderson	Kayton.
of Bexar.	Mathis.
Barron.	McGregor.
Bedford.	Ramsey.
Cathey.	Reed of Dallas.
Cowley.	Renfro.
Dunlap.	Ross.
Duvall.	Scott.
Ford.	Tennyson.
Graves.	Tillery.
Griffith.	Townsend.
Harrison.	Weinert.
Hill of Brazoria.	West.
Jackson.	

## Absent—Excused

Clayton.	Nicholson.
Johnson	Turlington.
of Dimmit.	

SENATE BILLS ON FIRST  
READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 160, to the Committee on Counties.

Senate Bill No. 30, to the Committee on Game and Fisheries.

Senate Bill No. 70, to the Committee on Appropriations.

Senate Bill No. 166, to the Committee on Appropriations.

James.	Ray.
Jones of Atascosa.	Roberts.
Jones of Runnels.	Rogers of Hunt.
Jones of Shelby.	Rogers
Kyle of Hays.	of Ochiltree.
Lindsey.	Rollins.
Magee.	Ross.
Mackay.	Savage.
McClain.	Shannon.
McDougald.	Steward.
McKee.	Stinson.
Merritt.	Stovall.
Metcalfe.	Sullivan.
Mitcham.	Tarwater.
Moffett.	Townsend.
Morrison.	Van Zandt.
Pavlica.	Walker.
Ratliff.	Winningham.

HOUSE BILL NO. 242 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 242, A bill to be entitled "An Act to repeal Chapter 5, Acts of the Thirty-sixth Legislature, Third Called Session, and Chapter 34, Section 1 and subsection 15, Acts of the Thirty-seventh Legislature, Regular Session."

The bill was read second time, and was passed to engrossment.

## ADJOURNMENT

Mr. Canon moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Mr. Moore moved that the House adjourn until 10 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Canon, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—63

Adamson.	Devall.
Aikin.	Dunlap.
Alexander.	Fain.
Alsup.	Fisher.
Anderson	Fuchs.
of Johnson.	Glass.
Barron.	Good.
Beck.	Goodman.
Bedford.	Harris.
Bourne.	Hartzog.
Butler.	Head.
Calvert.	Hodges.
Caven.	Holloway.
Crossley.	Hoskins.
Dean.	Hunt.

Nays—48

Baker.	Leonard.
Barrett.	Long.
Burns.	Lotief.
Camp.	Moore.
Chastain.	Morse.
Coombes.	Munson.
Daniel.	Palmer.
Davidson.	Patterson.
Dunagan.	Pope.
Few.	Purveyer.
Greathouse.	Reed of Bowie.
Haag.	Reed of Dallas.
Hankamer.	Renfro.
Hill of Webb.	Riddle.
Holekamp.	Russell.
Holland.	Scarborough.
Huddleston.	Smith.
Hughes.	Stanfield.
Hyder.	Tennyson.
Jefferson.	Thomas.
Johnson	Vaughan.
of Anderson.	Wagstaff.
Laird.	Wells.
Latham.	Wood.
Lemens.	

Present—Not Voting

Golson.	Hicks.
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Absent

Anderson	Harrison.
of Bexar.	Hester.
Bradley.	Hill of Brazoria.
Canon.	Jackson.
Cathey.	Kayton.
Colson.	Kyle of Palo Pinto.
Cowley.	Mathis.
Duvall.	McCullough.
Dwyer.	McGregor.
Engelhard.	Parkhouse.
Ford.	Ramsey.
Graves.	Reader.
Griffith.	Scott.
Harman.	Shults.

Tillery.  
Weinert.

West.  
Young.

Absent—Excused

Clayton.  
Johnson  
of Dimmit.

Nicholson.  
Turlington.

The House, accordingly, at 4:50 o'clock p. m., adjourned until 9:30 o'clock a. m., Friday, February 10.

## APPENDIX

### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolution, as follows:

Criminal Jurisprudence: House Bills Nos. 206 and 313.

Judiciary: House Bill No. 422.

Privileges, Suffrage, and Elections: House Bills Nos. 421 and 237.

State Affairs: House Bills Nos. 373, 23, 57, 401; Senate Bill No. 90; and House Concurrent Resolution No. 17.

The Committee on State Affairs filed an adverse report, with a minority favorable report, on House Bill No. 92.

### REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,  
Austin, Texas, February 8, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 150, A bill to be entitled "An Act to amend Article 2218, Title 41, Chapter 9, of the Revised Civil Statutes, 1925, providing that in a foreclosure, if the property be real property, and if the proceeds of such sale be insufficient to satisfy the mortgage and other liens, then no judgment shall issue, as a deficiency judgment against any other property of the defendant to satisfy any balance thereof remaining unpaid; and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

### REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, February 9, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 3, "An Act to establish a system of public roads and bridges for all counties in this State having a population of more than one hundred and sixty thousand (160,000) inhabitants and less than two hundred and thirty thousand (230,000) inhabitants, according to the last preceding Federal Census, and wherein is situated an incorporated city having a population in excess of one hundred thousand (100,000) inhabitants, according to the last preceding Federal Census, and to empower the commissioners courts thereof to provide rules and regulations therefor; providing certain duties and office hours of the county commissioners; and providing certain committees to be appointed by the county judge, and prescribing their duties; providing for the appointment of the county engineer and county judge; fixing a maximum salary therefor, and providing also for such engineer's bonds; providing for the classification of roads and the keeping of records thereof; providing for certain duties for the county engineer; providing for the county engineer to have charge of the county convict camp; providing for county engineer to employ necessary help; providing for a master plan of roads, during their hearing thereon, and for its adoption; providing for the county auditor to compute the pay for all employees; providing for the employment of counsel in giving the courts power of eminent domain; providing for abolishing of road taxes by labor; providing for the second class bridge fund and a division of money to sub-funds; providing penalty for excesses of road and bridge taxes in excess of maximum rate fixed by law; requiring county convicts to work on public roads; authorizing and regulating the issuance and sale of bonds under this Act, and for the levy of taxes for such purposes, and to allow the issuance of bonds for the purpose of funding and refunding any bonded indebtedness heretofore or hereafter incurred by said counties, and to regulate the expenditure arising from the

sale of such bonds and from the levy of taxes for road and bridge purposes; providing for the purchase of tools and machinery out of the second class road and bridge fund; providing for the transfer of certain funds; prohibiting any member of the commissioners courts or county officer from being finally interested in a contract or road work or materials, and providing a penalty therefor, and making disposition of any such fines; defining road and highways, and providing for a budget for the counties by the commissioners courts and funds providing that the provisions hereof shall be cumulative of all general laws; and repealing all laws or parts of laws in conflict with the provisions thereof; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

### NINETEENTH DAY

(Friday, February 10, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Daniel.
Adamson.	Davidson.
Aikin.	Dean.
Alexander.	Devall.
Alsup.	Dunlap.
Anderson	Dunagan.
of Bexar.	Dwyer.
Anderson	Engelhard.
of Johnson.	Fain.
Baker.	Few.
Barrett.	Fisher.
Barron.	Ford.
Beck.	Fuchs.
Bedford.	Glass.
Bourne.	Golson.
Bradley.	Good.
Burns.	Goodman.
Butler.	Greathouse.
Calvert.	Griffith.
Camp.	Haag.
Canon.	Hankamer.
Cathey.	Harman.
Caven.	Harris.
Chastain.	Hartzog.
Colson.	Head.
Coombes.	Hester.
Cowley.	Hicks.
Crossley.	Hill of Webb.

Hodges.	Parkhouse.
Holekamp.	Patterson.
Holland.	Pavlica.
Holloway.	Pope.
Hoskins.	Purveyer.
Huddleston.	Ratliff.
Hughes.	Ray.
Hunt.	Reader.
Hyder.	Reed of Bowie.
Jackson.	Reed of Dallas.
James.	Renfro.
Jefferson.	Riddle.
Johnson	Roberts.
of Anderson.	Rogers of Hunt.
Jones of Atascosa.	Rogers
Jones of Runnels.	of Ochiltree.
Jones of Shelby.	Rollins.
Kayton.	Ross.
Kyle of Hays.	Russell.
Kyle of Palo Pinto.	Savage.
Laird.	Scarborough.
Latham.	Scott.
Lemens.	Shannon.
Leonard.	Shults.
Lindsey.	Smith.
Lotief.	Stanfield.
Magee.	Steward.
Mackay.	Stinson.
Mathis.	Stovall.
McClain.	Sullivant.
McCullough.	Tarwater.
McDougald.	Tennyson.
McGregor.	Thomas.
McKee.	Townsend.
Merritt.	Van Zandt.
Metcalf.	Vaughan.
Mitcham.	Wagstaff.
Moffett.	Walker.
Moore.	Wells.
Morrison.	Winningham.
Morse.	Wood.
Munson.	Young.
Palmer.	

#### Absent

Duvall.	Ramsey.
Graves.	Tillery.
Harrison.	West.
Long.	

#### Absent—Excused

Clayton.	Nicholson.
Hill of Brazoria.	Turlington.
Johnson	Weinert.
of Dimmit.	

A quorum was announced present.  
Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

#### LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Hill of Brazoria for today, on motion of Mr. Butler.